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## Military widows are mistreated and misled

By Rep. Bob Filner (D-Calif.)

**"M**y husband who served in the Army for 20 years died in July 1995. I was then 61 years old. I was doing okay, paying my monthly bills and having enough left for groceries, but when I turned 62, I was notified that my SBP was reduced from \$476 to \$302. What a shock! This was my grocery money they took away from me. I hope that nobody else has to go through what I have. I cry every day and night. Not only have I lost my husband, I lost my money, my pride, my dignity."

These words from the widow of one of our nation's veterans should be seared into the mind of every member of Congress.

During the last session of Congress, with almost full support of the House and the Senate, we were set to finally correct a long-standing injustice. Both the House and the Senate agreed that we should provide our veterans who became disabled as a result of their military service to our nation with concurrent receipt — eliminating the financially harmful and insulting offset that now exists between military retired pay and VA disability compensation. Tragically, the final version of the Defense Authorization bill covered only a very few veterans, and we are still fighting to correct this grave injustice.

There is another equally deserving group that we must include in this fight — the widows of our military retirees! For not only are many of our military retirees being denied their rightful benefits while alive, another offset is denying their spouses their rightful benefits upon the death of the military retiree.

When a resident of my congressional district retired after many years of honorable military service, he elected to have a portion of his military retired pay set aside under the Military Survivors Benefits Plan (SBP) so that, when he died, his widow would have an income she could count on. He knew the enormous sacrifices she had



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made in order to maintain a home for their family during his military career, often in parts of the world not nearly as lovely as San Diego. He understood and appreciated that his wife had served our country as surely as he had. He did not, however, understand that following his too-early death, the SBP would provide his wife with the financial security she needed, but only until her 62nd birthday. On that day, her SBP benefit (which had been 55 percent of her husband's retired pay) was reduced to 35 percent of his retirement income.

She received no warning that her check would be slashed, and she received no explanation. When she finally was able to locate someone who could tell her why she was facing this crisis, she was given the following explanation: Your survivor benefits have been reduced because, at age 62, you became eligible to receive Social Security. Puzzled, she pointed out that her Social Security payment, such as it was, was based on her own work. It had nothing to do with the SBP her husband has paid into. Too bad,

she was told, that's the law.

Well, we have to change this misleading and unfair law. Most of these military widows are living on small incomes, but even people with substantial incomes would have a tough time coping with such a large reduction in their retirement. We Americans should not treat our aging citizens, some of the most vulnerable members of our American family, with such disdain.

I have introduced H.R. 1592, the Military Survivors Equity Act, to fix this problem by eliminating the callous and absurd reduction in benefits that now burdens our military widows. If my bill is passed, they will get what they and their deceased spouses always thought they would get: 55 percent of the military retiree pay. To put it simply: NO OFFSET. This is a simple solution to a difficult problem and an equitable solution to a mean-spirited practice. My colleague, Rep. Jeff Miller (R-Fla.), has also introduced legislation that would gradually increase the post-62 SBP annuity so that it would reach 55 percent of military retired pay by 2007.

Both bills fulfill the 2001 "sense of Congress" resolution to reduce and eventually eliminate this SBP reduction. While nonbinding, this resolution is a clear statement of Congressional intent. The passage of this legislation is a top priority for the Military Officers Association of America. The Veterans of Foreign Wars has also voiced their support for the bill. I encourage members from both sides of the aisle to work with Rep. Miller and me to stop the pain and anguish that we are causing our military widows. If this Congress has any self-respect — and if we have any respect for the tremendous sacrifices made by our veterans and their families — we will pass this legislation and make this the compassionate and effective Survivors Benefits Plan it should be.

*Filner is a senior Democrat on the House Veterans' Affairs Committee.*